

PTO/SB/30 (09-04)
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Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/772,172
	Filing Date	01/29/2001
	First Named Inventor	CARTIER, John L.
	Art Unit	1771
	Examiner Name	CHANG, Victor S.
	Attorney Docket Number	02736

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-0120. I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Elliott A. Salter</i>	Date	January 7, 2005
Name (Print/Type)	Elliott A. Salter	Registration No.	17,486

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature	<i>Gretel Kelly</i>
Name (Print/Type)	Gretel Kelly
Date	January 7, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket #02736

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By Bruce Kelly
Certifier

Commissioner for Patents
Alexandria, VA 22313-1451

Attention : Refund Branch, Receipts Accounting Division
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Re: U.S. Patent Application No. 09772172
Filed in U.S. PTO01/29/2001
Applicant: CARTIER, John L.

Sir:

This is a request for a refund of one-half of the RCE fee under 37 CFR 1.28 with respect to the above-identified application, see attached copy of PTO statement.

This application has been designated as having "small entity" status, which status was also indicated on the fee transmittal form dated January 7, 2005, a copy of which is attached. However, the PTO erroneously charged applicant's attorneys' account #19-0120 with a fee of \$790 based on large entity status instead of \$455 based on applicant's small entity status.

Accordingly, it is believed that applicants are entitled to a refund of one-half of the designated fee, or \$455.00, and it is requested that this refund be credited to applicant's attorneys' account #19-0120.

Respectfully submitted,
SALTER & MICHAELSON

Elliot A. Salter

Elliot A. Salter
Reg. #17,486
gk
enc.

PTO/SB/30 (09-04)

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First Named Inventor	CARTIER, John L.
Art Unit	1771
Examiner Name	CHANG, Victor S.
Attorney Docket Number	02738

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Elliot A. Salter</i>	Date	January 7, 2005
Name (Print/Type)	Elliot A. Salter	Registration No.	17,486

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Name (Print/Type)	Gretel Kelly		

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email: esalter@saltermichaelson.com

ROBERT S. SALTER*
DAVID M. DRISCOLL*

* ADMITTED IN MA ONLY

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From	: Elliot A. Salter, Esq.
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Total pages (including cover sheet):	4
Operator	: Gretel Kelly
Attorney docket	: 02736-1

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File reference	: Serial No. 09/772,172
Applicant	: CARTIER, John L.
Title	: ICE BREAKER MAT

Attached is a Request for Refund of RCE fee, based on applicant's small-entity status.

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